

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
REQUEST FOR FILING APPLICATION UNDER RULE 1.53(b)**

Pursuant to 37 CFR 1.53(b), please file a ☐ continuation/☒ divisional  
of the pending prior PATENT APPLICATION of:

Inventor: CLOUGH et al

Serial No. 09/140,466

Filed: August 26, 1998

For: **AN EF-TU PROTEIN ENCODED ON THE PLASTID DNA OF THE MALARIA PARASITE  
AND PROTEIN SYNTHESIS INHIBITORS EFFECTIVE AS ANTI-MALARIAL COMPOUNDS**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Atty Dkt.: 117-349

C# M#

Date: May 1, 2001

Group: 1641

Examiner: Grun, J.

05/01/01  
09/845335  
JC971 U.S. PTO

This request for filing under Rule 53(b) is made by the following named inventor(s) (using the above-identified title):  
Inventor(s): CLOUGH et al

☒ Attached is a true copy of the prior application as originally filed including the specification, claims, Oath/Declaration and drawings (if any) and abstract (if any). No amendments (if any) referenced in the Oath or Declaration filed to complete the prior application introduced new matter.

☒ Priority is hereby claimed under 35 USC 119 based on the following foreign applications, the entire content of which is hereby incorporated by reference in this application:

Application Number

Country

Day/Month/Year/Filed

☐ certified copy(ies) of foreign application(s) attached or

☐ already filed on \_\_\_\_\_ in prior appln. no. \_\_\_\_\_ filed \_\_\_\_\_

☐ already filed in \_\_\_\_\_ filed \_\_\_\_\_

☒ Please amend the specification by inserting before the first line: -- This application claims the benefit of U.S. Provisional Application No. 60/056,246, filed 28 August 1997, the entire content of which is hereby incorporated by reference in this application.--

☒ The prior application is assigned to MEDICAL RESEARCH COUNCIL.

☒ Power of Attorney has been granted to Mary J. Wilson et al, Reg. No. 32,955 of Nixon & Vanderhye P.C., 1100 N. Glebe Rd., 8<sup>th</sup> Floor, Arlington, VA 22201.

☒ Address all future communications to: Nixon & Vanderhye P.C., 1100 N. Glebe Rd., 8<sup>th</sup> Floor, Arlington, VA 22201.

☒ Please amend the specification by inserting before the first line --This is a divisional of application Serial No. 09/140,466, filed August 26, 1998, now pending, the entire content of which is hereby incorporated by reference in this application.--

☐ This application is entitled to "Small entity" status. ☐ "Small entity" statement attached.

☒ The Examiner's attention is directed to the prior art cited in the parent application by applicant and/or Examiner for the reasons stated therein. The Examiner is requested to initial and return the attached PTO-1449 Forms listing that art.

☒ Please enter the attached and/or below preliminary amendment prior to calculation of filing fee:

**Cancel claims 1-16 and 22 without prejudice**

☒ The entire disclosure of the prior application above-referenced is considered as being part of the disclosure of this new application and is hereby incorporated by reference therein.

☒ Also attached: ☒ PTO-1449 Forms; ☐ Non-Publication Request; ☐ Other:

**FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HEREWITH CANCELED**

Basic Filing Fee

Total effective claims	5	- 20 (at least 20) =	0	x \$ 18.00	\$	710.00
Independent claims	1	- 3 (at least 3) =	0	x \$ 80.00	\$	0.00
					\$	0.00

If any proper multiple dependent claims now added for first time, add \$270.00 (ignore improper)

**SUBTOTAL** \$ 710.00

If "small entity," then enter half (1/2) of subtotal and subtract

-\$ (0.00)

Assignment Recording Fee (\$40.00)

**SECOND SUBTOTAL** \$ 710.00

\$ 0.00

**TOTAL FEE ENCLOSED** \$ 710.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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MJW:tat

**NIXON & VANDERHYE P.C.**

By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: \_\_\_\_\_

*Mary J. Wilson*

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